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American Commonwealths:—Indiana: A Redemption from Slavery. By J. P. DUNN, Jr., Secretary Indiana Historical Society. 453 pp.—*Ohio: First Fruits of the Ordinance of 1787.* By RUFUS KING. 427 pp. Boston and New York, Houghton, Mifflin and Co., 1888.

The authors of these two volumes have devoted most of their attention to the origins of the two commonwealths of which they treat. Mr. Dunn's book makes no pretence of carrying the history of Indiana beyond its admission to the Union, and the story of Ohio after 1803 is very fragmentary. Thus for the most part their work covers the same ground, and the comparison which the reader naturally draws is not favorable to Mr. King. *Ohio* is certainly far superior to some of the previous volumes in this series, but its author is unfortunate in selecting a field for his labor which had been already appropriated by the learned secretary of the Indiana Historical society. Mr. Dunn's work as far as it goes, is almost a model one. Every page evinces untiring research, the careful comparison of authorities, and tact and discretion in reconciling conflicting statements of fact.

Down to the year 1800, the history of Ohio and of Indiana flow in the same channel. Mr. King's book starts at the head of the stream, *i.e.*, with the era of the moundbuilders. The actual history of the country begins only with La Salle's explorations in the seventeenth century, and the French claim to which it gave rise. The country west of the Appalachian range was claimed by Great Britain on the twofold ground of Cabot's discovery and the sovereignty of the Iroquois over the territory between the mountains and the Mississippi river—this confederation having recognized the King of Great Britain as their "great father." This shadowy claim was first advanced by Governor Dongan (of New York) in 1686, and in 1701 Governor Nanfan obtained a cession of all the western lands of the Iroquois. The French championed the sovereignty of the Algonkins, and under treaties with them, French commercial companies and interloping *coureurs des bois* had established posts and settlements before the English colonists were ready to cross the mountains. Chapter iii of *Indiana* contains a very interesting account of these *coureurs des bois* and their ways. In 1727 the Mississippi company established Port Vincennes on the Wabash; meanwhile the Ohio Company had sent traders by way of the Tennessee and the Cumberland, who poached on what the French regarded as their preserves. De la Galissonière and Du Quesne expelled the intruders; the troubles culminated in war; and in 1760, after the fall of Quebec, all the Western country was surrendered to Great Britain by the capitulation of Montreal. The claimants of the ceded territory were numerous; the English colonies extended indefinitely westward by their charters, and some, like Virginia,

had made bounty grants to their militia or had encouraged land companies. The squatters and traders poured in from Virginia and Pennsylvania and fought with the Indians and with each other. But the only settlements were those made by the Moravians at Gnadenhuetten and Schoenbrunn, Ohio. Chapter v of *Ohio* contains a very interesting account of this curious communistic *civitas dei*, which, spared by the savage Indians, was destroyed by the rival brutalities of the English and Virginians during the Revolutionary war.

The ceded territory was annexed for administrative purposes to the province of Quebec, by that Quebec act which Bancroft denounces so strenuously, because it left the inhabitants without a share in the government and without the benefit of the writ of *habeas corpus*. The inhabitants were almost exclusively Frenchmen, who did not participate in the Anglo-Saxon desire for self-government, who were ignorant of the beauties of the common law and the blessings of *habeas corpus* and who had no desire for this trinity of benefits. The Quebec act was objectionable to New England because it tolerated Catholics. The connection was severed by the treaty of Versailles in 1783, after the Northwestern territory had been the theatre of several campaigns in which George Rogers Clark (the "Hannibal of the West," Mr. Dunn magniloquently calls him) and the Virginia militia distinguished themselves. The parties to the cession were the King of Great Britain and the United States; but, by what can be regarded only as an act of sheer usurpation, Virginia had organized the territory northwest of the Ohio into the county of Illinois. Other commonwealths also claimed sovereignty over portions of the territory, and the Northwestern Indians, exasperated by ill-treatment and inspired by the British agents at Detroit, resolved to extirpate the Americans. The refusal of Maryland to enter the confederation unless these commonwealths should release their claims to the United States brought matters to a crisis, and between 1781 and 1786 all their right and title were ceded by New York, Virginia, Massachusetts and Connecticut, the second and the last named commonwealths reserving respectively the Virginia military district and the Western reserve.

The ordinance for the government of the territory provided for three stages in its development: first, the provincial stage, where the executive and the three judges, appointed by the United States government, were empowered to re-enact any of the statutes of the original states for the Northwestern territory; second, the representative stage (to which the territory might advance as soon as it contained 5000 free white males), where legislative powers were vested in an elective assembly and a council of five, chosen by the president from a double nomination submitted by the assembly; third, the commonwealth stage. The ordinance also contained the famous prohibition of slavery — which, under the treaties

with Great Britain of 1783 and 1794, was interpreted to prohibit the importation of slaves and the enslaving of negroes born after July 13, 1787 — and the clause for the encouragement of religion, morality and knowledge as essentials of good government. The discussion of the slavery clause in *Indiana* is very valuable and instructive.

In the same year, 1787, the Ohio company of Revolutionary officers obtained its grant of one and a half million acres on the Muskingum, and the Scioto company of New York land speculators received three and a half million acres on the Scioto. The Indian title to Ohio east of the Scioto had just been extinguished, and that part of the territory alone was organized as the county of Washington, with St. Clair, late president of Congress, as governor. The members of the Ohio company settled at Marietta; the Scioto company sent Joel Barlow to Paris, where his glib words attracted over a colony of Frenchman who were little used to frontier life, and most of whom died of fever at Gallipolis. The Miami company, formed in New Jersey, settled Losantiville (Cincinnati); the Virginians founded Massieville (Manchester); and the Connecticut land company, Cleveland. In 1798 the territory entered on the second stage, and sent W. H. Harrison as delegate to Congress, where he secured the passage of a law providing for the sale of public lands on long credits in sections and half-sections, instead of in parcels of 4000 acres as formerly, thus opening them directly to small purchasers. Wayne's victory and Jay's treaty had broken the power of the Indians and removed the British agents who animated their hostility. In 1800 the territory was divided into Ohio and Indiana; and in 1803 Ohio became a state with Chillicothe as its capital. In 1806 the building of the national turnpike formed a great link between Ohio and Virginia; the Erie canal in 1825 connected the new state with the Atlantic, and was the incentive to the construction of the Ohio canal and the Miami and Erie canal. Mr. King devotes only five lines to the turnpikes and railways of Ohio; his treatment of the public schools is also unsatisfactory.

After the separation in 1800, Indiana territory relapsed into the provincial stage with W. H. Harrison as governor. Many of the settlers desired to introduce slavery; three attempts had been made before 1800. In 1804 the governor exercised the power vested in him of proclaiming the representative stage. At its first session, the territorial legislature introduced slavery by the indenture of negroes, which was proclaimed constitutional by the courts of Indiana. In 1809 the territory of Indiana was cut down to the limits of the present state; and the anti-slavery party, being relieved of the incubus of "Egypt" (southern Illinois), pushed the fight, and the next year (1810) the indenture law was repealed. In 1816 Congress passed an enabling act, and a constitution was adopted which re-enacted the prohibition of slavery of the Northwestern ordinance, and

declared in addition that no indenture of a negro made outside of Indiana should be binding there. This clause was regarded as merely prospective until 1820, when the decision in the friendly suit of *State vs. Lasselle* (1 Blackf. 60) declared it retrospective. The case never reached the United States Supreme Court; that tribunal would probably have found that it violated article i, section 10, clause 1 of the constitution, which forbids every state to pass laws impairing the obligation of a contract.

With the redemption of the state from slavery, Mr. Dunn's work comes to an end; Mr. King's book contains an interesting chapter on Ohio in the Civil war. A list of authorities and two or three historical maps would add greatly to the value of both volumes.

ROBERT WEIL.

De l'organisation des partis politiques aux États-Unis. Par M. OSTROGORSKI. Paris, Felix Alcan, 1889. — 98 pp.

It is a fact with a moral that foreign students of American party politics are almost unanimous in reaching conclusions that coincide with what are known here as Mugwump ideas. Von Holst and Bryce are leading examples of this fact. The author of the pamphlet under review contributes a less profound illustration of the same tendency. M. Ostrogorski has made an intelligent and in general a very accurate study of party organization and methods; of party principles he has little to say. He sketches the rise and fall of the old legislative caucus; the origin and development of popular party conventions; the concentration of the controlling power in standing committees, state and national; and the evolution of those familiar products of American politics, "rings" and "bosses." In this succession of dominant characteristics in party organization he discerns a succession of philosophic principles. The legislative caucus marks the régime of the aristocratic oligarchy; the early nominating conventions were the work of the democratic tendency which made Jackson possible; the era of committee control was the reversion to oligarchy, though of a lower type than the original; while the current prevalence of "bossism" denotes the triumph of a vulgar and demoralizing autocracy. This analysis is striking, but its symmetry is perhaps a little forced. It is doubtful, at least, that the modern "boss" is more of a power in party politics than many an individual of *ante bellum* days who bore a less invidious title. M. Ostrogorski follows a certain school of American writers in extending the application of the term "boss" from its original significance, in describing a politician of the Tweed type, to the general designation of any eminent party leader, such, for example, as Roscoe